

## MINUTES

### COUNCIL ADMINISTRATOR FORM OF GOVERNMENT FOR AIKEN COUNTY

COUNCIL CHAMBERS, 736 RICHLAND AVENUE, W., AIKEN, S. C.

REGULAR MEETING – MAY 20, 2003 – 7:00 P. M.

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#### (A) CALL TO ORDER

Determining that a quorum was present, Chairman Young called the meeting to order.

Council Members present:

Chairman Ronnie Young  
Kathy Rawls  
Scott Singer  
LaWana McKenzie  
Chuck Smith  
Eddie Butler  
Charles Barton  
Rick Osbon  
Willar H. Hightower, Jr.

Also present:

J. Clay Killian, County Administrator  
Robert M. Bell, County Attorney  
Tamara Sullivan, Council Clerk

#### (B) INVOCATION

Councilman Hightower led in the invocation.

#### (C) PLEDGE OF ALLEGIANCE

Councilman Osbon led in the Pledge of Allegiance.

#### (D) APPROVAL OF MINUTES

1. May 6, 2003 Worksession
2. May 6, 2003 Regular Meeting
  - a. Councilman Singer made a motion to approve the minutes. Councilman Butler seconded.
  - b. The minutes were approved by unanimous vote.

#### (E) APPROVAL OF AGENDA

- a. Councilwoman Rawls made a motion to approve the agenda. Councilman Butler seconded.
- b. Councilwoman McKenzie made a motion to move Consent Item 12 for discussion. Councilman Hightower seconded. Consent Item 12 was moved to Old Business as Item 5.
- c. The amended agenda was approved by unanimous vote.

(F) PUBLIC HEARINGS

1. Proposed Ordinance Authorizing and Providing for the Issuance and Sale of Aiken County, South Carolina, Sewer System Revenue Bonds; to Prescribe the Purposes for Which the Proceeds Shall be Expended; to Provide for the Payment Thereof; and Other Matters Relating Thereto.
  - a. Mr. Charlton deSaussure, of Haynsworth Sinkler Boyd, P. A., Charleston, SC, stated that the balance of the Bond had been refinanced at a 3.57% interest rate. He added that more favorable terms were given including that a no debt service reserve fund was required and a shorter pay off time was allotted.
2. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-015-0-01-010 (Part) Located at 840 Edgefield Highway (US 25) in Council District 5 from RC to UD.
  - a. Three residents from that area voiced their opposition to the zoning change. All were concerned with what the property might be used for if the current owner sold the property. The residents also voiced complaints about mobile homes which are currently on the property and the traffic from those mobile homes.
  - b. The owner of the property, Mr. Curt Barnes, stated that it was his intention to take out the mobile homes and build a mini storage warehouse with fencing.

(G) OLD BUSINESS

1. Proposed Ordinance to Amend Chapter 22, Article VI, Accommodations Tax Advisory Committee of the Aiken County Code of Ordinances to Prohibit Voting on Funding for an Organization Which is Represented by a Member of the Committee.  
(Development Committee) (Third Reading)
  - a. Councilman Osbon moved for the adoption. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.
2. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone All or Part of Tax Parcels 00-139-0-01-016, -017, -018, -020, -075, -078, and -079 Located on Chime Bell Church Road (S-869) in Council District 2 from RC to RM.  
(Singer) (Third Reading)
  - a. Councilman Hightower moved for the adoption. Councilman Osbon seconded.
  - b. Passed by unanimous vote.
3. Proposed Ordinance to Revise Chapter 15, Article III Nuisances of the Aiken County Code of Ordinances to Shorten the Process for Dealing with Nuisances.  
(Judicial and Public Safety Committee) (Third Reading)
  - a. Councilman Smith made a motion for approval. Councilwoman McKenzie seconded.
  - b. Passed by unanimous vote.
4. Proposed Second Supplemental Ordinance Authorizing and Providing for the Issuance and Sale of Aiken County, South Carolina, Sewer System Revenue Bonds, Series 2003, in the Principal

Amount of \$1,435,000; Prescribing the Purposes for Which the Proceeds Shall be Expended; Providing for the Payment Thereof; and Other Matters Relating Thereto.  
(County Council) (Third Reading)

- a. Councilwoman McKenzie moved for the approval. Councilman Hightower seconded.
  - b. Passed by unanimous vote.
5. Proposed Ordinance to Declare Certain Land at the Sage Mill Industrial Park as Surplus and to Authorize its Sale to the United Way of Aiken County for Use as a Community Quality Day Care Facility.  
(Development Committee) (Second Reading)  
MOVED FROM CONSENT ITEM 12
- a. Councilman Osbon moved for the adoption. Councilman Hightower seconded.
  - b. Councilwoman McKenzie voiced strong opposition to the Ordinance citing numerous reservations about the project.
  - c. The Ordinance passed by majority vote with Councilwoman Rawls, Councilman Singer, Councilman Smith, Councilman Osbon and Chairman Young voting in favor. Councilwoman McKenzie, Councilman Butler, Councilman Barton, and Councilman Hightower voted in opposition.

(H) CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

I. REGULAR CONSENT AGENDA

1. Proposed Resolution to Appoint One Member to Designated Boards, Commissions and Committees with Terms of the Appointees to Run Concurrent with that of the Councilmember from Districts 1, 2, 3, 4, 5, and 6.  
(Rawls, Singer, McKenzie, Smith, Butler, Barton)
2. Proposed Resolution to Appoint Mr. Eddie Carpenter to the Langley Pond Citizens Advisory Committee.  
(Development Committee)
3. Proposed Resolution to Approve the Allocation of Funds for Various Non Profit Agencies from the FY 2003 Council Contingency Fund.  
(County Council)
4. Proposed Resolution to Authorize the County Administrator to Execute Change Order 1 to its Contract with Johnson, Laschober & Associates, PC of Augusta, Georgia, for the Design and Engineering Services to the Dirt Road Known as Bethcar Church Road (S-246), of the One Cent Sales Tax Program.  
(Development Committee)
5. Proposed Resolution to Accept Easements on Andrew Circle Road (C-493), Bethcar Church Road (S-246), Boyd Pond Road (C-246), Cumbee Trail Road (C-549), and Fulmer Road (C-546) Needed for Capital Projects Sales Tax Paving Project.  
(Development Committee)

6. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Mabus Brothers Construction Company, Inc. for the Fulmer Road Paving Project.  
(Development Committee)
7. Proposed Resolution to Direct that Speed Limit Signs be Erected on Pine Butte Lane (C-2370), and Twisted Needle Ct (C-2371) Located in County Council District 5, and Reedy Fork Road (C-539) Located in County Council District 6.  
(Butler, Barton)
8. Proposed Resolution to Declare that Abney Place is a County Road and to Direct the Public Works/ Engineering Department to Maintain Said Road.  
(Development Committee)
9. Proposed Resolution to Authorize the Council Chairman to Enter into an Agreement with Ronlyn Food Services for the Summer Food Program.  
(Development Committee)
10. Proposed Resolution to Commit to Reimbursing the Cities of Aiken and North Augusta for Consoles for Their PSAPs.  
(Judicial and Public Safety Committee)
11. Proposed Ordinance to Establish Operating, Capital and Debt Service Budgets for Aiken County, South Carolina for the Fiscal Year July 1, 2003 Through June 2004; to Provide for the Levy of Taxes for County Operations, Capital and Debt Service; to Provide for All Other Estimated Revenues and for the Appropriation Thereof; and to Provide for Other Matters Related Thereto.  
(County Council) (Second Reading)

12. MOVED TO OLD BUSINESS ITEM 5

II. CONSENT AGENDA/INTRODUCTION OF ORDINANCES FOR FIRST READING

13. Proposed Ordinance to Authorize the Council Chairman to Execute a Quit Claim Deed Transferring Legal Title to 1.41 Acres, More or Less, Tract of Real Estate, Being a Part of the Sage Mill Industrial Park Near I-20 and Bettis Academy Road to Breezy Hill Water and Sewer Company.  
(Development Committee)
- a. Councilman Singer made a motion to approve the Consent Agenda. Councilwoman McKenzie seconded.
- b. The Consent Agenda was approved by unanimous vote.

(I) NEW BUSINESS

1. Request for Approval of a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-015-0-01-010 (Part) Located at 840 Edgefield Highway (US 25) in Council District 5 from RC to UD:
- A. Proposed Ordinance to Approve a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-015-0-01-010 (Part) Located at 840 Edgefield Highway (US 25) in Council District 5 from RC to UD.  
(Butler) (First Reading)
- or
- B. Proposed Resolution to Disapprove a Proposed Amendment to the Aiken County Official Zoning and Development Atlas to Rezone Tax Parcel 00-015-0-01-010 (Part) Located at 840 Edgefield Highway (US 25) in Council District 5 from RC to UD.  
(Butler)
- a. Councilman Singer made a motion to approve the Resolution listed under Item B. Councilman Osbon seconded.
- b. Councilman Butler discussed the history of the property and the fact that the Planning Commission had unanimously denied the application for rezoning.
- c. The Resolution passed by unanimous vote.

(J) PUBLIC PRESENTATIONS

1. Insurance for Public Defender's Office.  
(Mr. James Huff, Public Defender's Corporation)
- a. Mr. Huff requested that the employees of the Public Defender's Office be brought back on the County Insurance Plan.

(K) ITEMS FOR INFORMATION AND THE PUBLIC RECORD

1. Fiscal Year 2003 Aiken County Contingency Report as of May 7, 2003.

(L) INFORMAL MEETING OF WHOLE

- a. Ms. Polly Nichols, of Laverne Avenue, asked if Mr. Barnes would be required to close off the road that had been illegally cut several years ago.
- b. Chairman Young responded that Mr. Killian and staff would look into the matter and see what could be done to resolve the situation.
- c. Councilwoman McKenzie made a motion to adjourn the meeting. Councilman Smith seconded.
- d. The motion to adjourn passed by unanimous vote.

(M) EXECUTIVE SESSION

1. Legal Matters:
  - a. Status Report on Pending Litigation, Legal Claims and Legal Advice.  
(County Attorney) (Verbal)
2. Contractual Matters:
3. Personnel Matters:

(N) ADJOURNMENT – 8:00 P. M.

Respectfully submitted,

SIGNED:

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Tamara Sullivan, Council Clerk

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Ronnie Young, Chairman